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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

8 LARA WARD, An Individual ) CASE NO. 2:17-cv-03029 -JAD-NJK  
9 )  
10 Plaintiff, )  
11 vs. ) ECF No. 39  
12 STATE OF NEVADA, ex rel. its BOARD )  
13 OF MEDICAL EXAMINERS, DON )  
14 ANDREAS, an Individual, PAMELA )  
15 CASTAGNOLA, an Individual, KIM )  
16 FRIEDMAN, an Individual, KATI )  
17 PAYTON, an Individual, TODD RICH, )  
an Individual AND EDWARD )  
COUSINEAU, an Individual; DOES I-X. )  
Defendants. )  
\_\_\_\_\_  
18 )

**STIPULATION AND ORDER RESOLVING PENDING MOTIONS AND AGREEING  
TO FILE A FIRST AMENDED COMPLAINT  
(SECOND REQUEST)**

22 COMES NOW, the Plaintiff, LARA WARD (“Ward”), by and through her attorney,  
23 JENNY L. FOLEY, Ph.D., ESQ., of the law firm HKM EMPLOYMENT ATTORNEYS LLP,  
24 and Defendants, STATE OF NEVADA, ex rel. its BOARD OF MEDICAL EXAMINERS,  
25 PAMELA CASTAGNOLA, KIM FRIEDMAN, KATI PAYTON, and EDWARD  
26 COUSINEAU, by and through their attorney, S. BRETT SUTTON, ESQ., of SUTTON  
27 HAGUE LAW CORPORATION, P.C., hereby stipulate and agree as follows:

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1           WHEREAS, on or about January 4, 2018, Defendants filed a Motion to Dismiss, Motion  
2 to Strike Scandalous Matter and Motion for a More Definite Statement (collectively “the  
3 Motions” or “Motions”);

4           WHEREAS, the Parties met and conferred extensively with respect to the Motions, and  
5 Plaintiff agreed to file a First Amended Complaint addressing, at least in part, certain of the  
6 concerns raised by Defendants’ Motions to the satisfaction of all counsel without waiving any  
7 rights;

8           WHEREAS, on or about February 5, 2018, the Court entered the Parties’ Joint  
9 Stipulation and Order concerning the First Amended Complaint by which the Parties agreed,  
10 and the Court ordered, that Plaintiff provide a copy of the Proposed Amended Complaint to  
11 Defendants’ counsel not later than February 12, 2018 for the purposes of discussing any dispute  
12 related to the Proposed Amended Complaint before requesting a hearing date on Defendants’  
13 Motions, such that Plaintiff would be in a position to file a First Amended Complaint not later  
14 than February 28, 2018 after meeting and conferring with Defendants;

15           WHEREAS, Defendants did not receive a copy of Plaintiff’s Proposed First Amended  
16 Complaint until February 26, 2018, and as such have not yet had the opportunity to fully meet  
17 and confer with Plaintiff about the changes to the Proposed First Amended Complaint, about  
18 which Defendants still have serious concerns;

19           THEREFORE, based on all of the foregoing, the Parties jointly stipulate and  
20 respectfully request that the Court issue an Order as follows:

21           1. Since a continuing dispute exists and both the parties are working on a  
22 resolution, it has been agreed to stipulate that the new file date shall be from two weeks from  
23 the date of February 28, 2018. That the Plaintiff shall file a First Amended Complaint not later  
24 than March 14, 2018, which will:

- 25           a. List and separately allege each cause of action against each Defendant and  
26 will note, in what capacity each Defendant is being sued for each cause of  
27 action;

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- 1                   b. List the factual predicates of each cause of action in accordance with general  
2                   rules of pleading;  
3                   c. Remove the allegations in paragraph 72 a-z of the Complaint;  
4                   d. Remove the causes of action under NRS and for Negligent  
5                   Hiring/Supervision.

6                   2. Parties agree to discuss any unresolved issues with respect to the Proposed First  
7                   Amended Complaint prior to requesting a hearing date on Defendants' Motions or  
8                   filing further responsive motions regarding the same.

9  
10                  Dated this 27<sup>th</sup> day of February, 2018.

Dated this 27<sup>th</sup> day of February, 2018.

11                  **HKM Employment Attorneys LLP**

**Sutton Hague Law Corporation P.C.**

13                  /s/ Jenny L. Foley

14                  Jenny L. Foley, Esq.  
15                  Nevada Bar No. 9017  
16                  1785 East Sahara Ave, Suite 325  
17                  Las Vegas, Nevada 89104  
18                  Attorney for Plaintiff

13                  /s/ Jared Hague

14                  Jared Hague, Esq.  
15                  Nevada Bar No. 12761  
16                  9600 Gateway Drive, Suite 100  
17                  Reno, Nevada 89521  
18                  Attorney for Defendants

19                  **IT IS SO ORDERED.**

20                    
21                  U.S. District Judge Jennifer Dorsey  
22                  March 7, 2018